

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN BOOKER,

Plaintiff,

v.

CITY OF PHILADELPHIA, et al.,

Defendants.

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CIVIL ACTION

NO. 12-402

ORDER

AND NOW, this day of March, 2017, upon consideration of the Motion for Summary Judgment by Defendants City of Philadelphia, Sean Walsh, and Thomas Walsh (Docket No. 78), and Plaintiff John Booker's Response in Opposition (Docket No. 79), it is hereby **ORDERED** that Defendants' Motion for Summary Judgment is **GRANTED IN PART and DENIED IN PART** as follows:

1. The Defendants' Motion for Summary Judgment is **DENIED** as to the municipal liability claim against the City of Philadelphia in Count One.
2. The Defendants' Motion for Summary Judgment is **GRANTED** as to all other claims against the City of Philadelphia in Counts Two, Three, and Four.
3. The Defendants' Motion for Summary Judgment is **GRANTED** as to all claims against Sean Walsh and Thomas Walsh in Counts One, Two, Three, and Four.

It is so **ORDERED**.

BY THE COURT:

/s/ *Lawrence F. Stengel*

LAWRENCE F. STENGEL, J.